

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

FILED: **3/3/21**
U.S. DISTRICT COURT
EASTERN DISTRICT COURT
DAVID A. O'TOOLE, CLERK

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 1:20-CR-79(8)
	§	JUDGE MARICA CRONE
DOMINIC DEVONTE LIMBRICK (8)	§	

FACTUAL BASIS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, the United States of America, by and through the undersigned Assistant United States Attorney in and for the Eastern District of Texas, joined by **Dominic Devonte Limbrick**, defendant herein, and his counsel of record, Geraldo Montalvo, presents this factual basis and stipulation in support of the defendant's plea of guilty to count one of the Information filed herein, and, in support thereof, would show the following:



1. That **Dominic Devonte Limbrick**, defendant herein, hereby stipulates and agrees to the truth of all matters set forth in this factual basis and stipulation, and agrees that such admission may be used by the Court in support of her plea of guilty to count one of Information, alleging a violation of 18 U.S.C. § 4, misprision of a felony, to wit; possession with intent to distribute a mixture and substance containing methamphetamine, a Schedule II controlled substance.
2. That the defendant, **Dominic Devonte Limbrick**, who is pleading guilty to such Information, is one and the same person charged in the Information.

3. That the events described in the Information occurred in the Eastern District of Texas and elsewhere.
4. That on or about the dates described in the Information, the defendant, who had knowledge of the actual commission, to wit; possession with the intent to distribute a mixture and substance containing a detectable amount of methamphetamine, concealed and did not as soon as possible make known the same to law enforcement, as charged.
5. That had this matter proceeded to trial, the government, through the testimony of witnesses, including expert witnesses, and through admissible exhibits, would have proven, beyond a reasonable doubt, each and every essential element of the offense alleged in the Information; specifically, the government would have proven the following stipulated facts:

On November 20, 2018, members of the Drug Enforcement Administration (DEA) and the Jasper Police Department conducted a controlled buy of methamphetamine from Johnathan Limbrick, in Jasper Texas, which is in the Eastern District of Texas. The officers conducting the operation utilized a Confidential Source (CS) to arrange the purchase of methamphetamine from **Johnathan Limbrick**. Johnathan Limbrick told the CS to drive to an address within the Jasper city Limits, which is in the Eastern District of Texas. At that address officers observed a black Ford passenger car belonging to **Dominic Limbrick**, the son of Johnathan Limbrick arrive at the location. The CS was provided a white plastic bag containing a white crystal substance by Johnathan

Limbrick, and CS paid Johnathan Limbrick \$160 in United States Currency.

During the drug transaction Johnathan Limbrick introduced **Dominic Limbrick** as his son. The CS then met with officers and provided them the substance obtained from Jonathan Limbrick that appeared to be methamphetamine, which tested positive with a Nark II test kit for methamphetamine in the amount of 7.2 grams with packaging.

 ~~The parties agree that **Dominic Limbrick** was involved with the possession with the intent to distribute 5 grams of a mixture or substance containing a detectable amount of methamphetamine.~~ 

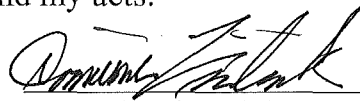
Accordingly, **Dominic Limbrick** had actual knowledge of Johnathan Limbrick's criminal activity, to wit: possessing with intent to distribute a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance and did not alert an appropriate authority as soon as possible, and took an affirmative act to conceal the crimes in that he provided his vehicle to Johnathan Limbrick, rode with Johnathan to the drug transaction, and never alerted authorities.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

6. I have read this factual basis and stipulation and the Information or have had them read to me and have discussed them with my attorney. I fully understand the contents of this factual basis and stipulation and agree without reservation that it

accurately describes the events and my acts.

Dated: 03.03.21



Dominic Limbrick
Defendant

DEFENSE COUNSEL'S SIGNATURE AND ACKNOWLEDGMENT

7. I have read this factual basis and stipulation and the Information and have reviewed them with my client, **Dominic Limbrick**. Based upon my discussions with the defendant, I am satisfied that the defendant understands the factual basis and stipulation as well as the Information, and is knowingly and voluntarily agreeing to these stipulated facts.

Dated: 03.03.21



Geraldo Montalvo
Attorney for the Defendant

Respectfully submitted,

NICHOLAS J. GANJEI
ACTING UNITED STATES ATTORNEY



RUSSELL JAMES
ASSISTANT UNITED STATES ATTORNEY